

United States District Court

**EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

ROZLYN ACKERMANN, *Individually and
as a Personal Representative of
Martin Lindsey Ackermann*

V.

WYETH PHARMACEUTICALS

§
§
§
§
§
§
§

CASE NO. 4:05cv84
(Judge Schneider/Judge Bush)

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the above-referenced civil action, this Court having heretofore ordered this case be referred to Magistrate Judge Don D. Bush for all pretrial purposes.

The report of the United States Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of Defendant's Motion for Summary Judgment (Docket No. 77), has been presented for consideration. The Court having made a *de novo* review of the objections raised by Plaintiff thereto, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of the Plaintiff are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court. It is, therefore,

ORDERED that the Magistrate Judge's Report is **ADOPTED** as the opinion of the Court.
It is further

ORDERED that Defendant's Motion for Summary Judgment is hereby the **GRANTED**.

SIGNED this 6th day of December, 2006.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE